

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul T. Bender  
Serial No. : 10/657,496  
Filed : September 8, 2003  
Title : FAILSAFE OPERATION OF ACTIVE VEHICLE SUSPENSION

Art Unit : 3657  
Examiner : Mariano Ong Sy  
Conf. No. : 9342

**MAIL STOP AF**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Application owner hereby appeals to the Board of Patent Appeals and Interferences from the action dated March 31, 2010, finally rejecting claims 1, 3-9 and 11.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection of one month to and including July 30, 2010, has been filed.

The appeal fee was previously paid in connection with the first appeal. Please apply any charges or credits to Deposit Account No. 06-1050, order no. 02103-0381001/S16.

Respectfully submitted,  
FISH & RICHARDSON P.C.

8 July 2010  
Date: \_\_\_\_\_

/charles hieken/

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**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: July 08, 2010